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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:09-CV-398-RLV-DSC**

INDIANTOWN COGENERATION, L.P.,

Applicant,

v.

CENTURY COAL, LLC,

Respondent.

**SCHEDULING ORDER ON THE LIMITED ISSUE OF JURISDICTIONAL
DISCOVERY**

THIS MATTER, coming on for consideration by the Court pursuant to the parties' Consent Motion for Entry of Proposed Scheduling Order on the Limited Issue of Jurisdictional Discovery, and the Court having determined that the Motion is supported by good cause and that the Motion should be granted;

THEREFORE, IT IS HEREBY ORDERED as follows:

1. Indiantown will serve any supplement to its discovery responses, or confirm it has no additional information, as soon as practicable. At such time, Indiantown may also serve and file supplementation to its Memorandum in Support of its Motion to Remand, if necessary.

2. Within seven (7) days of the date of service of Indiantown's supplement to its initial jurisdictional discovery responses and, if applicable, supplementation of Indiantown's Memorandum in Support of its Motion to Remand, Century will inform Indiantown whether it will or will not depose Indiantown's designee on the relevant jurisdictional issue.

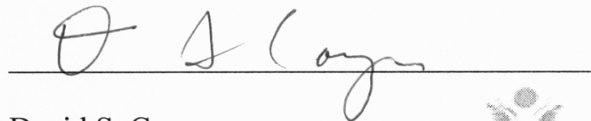
3. If a deposition is desired by Century, such deposition shall occur within fourteen (14) days of the date of such notice by Century.

4. Within fourteen (14) days of either (a) the deposition of Indiantown's designee, or (b) the date Century informs Indiantown that it will not conduct the deposition, whichever is applicable, Century will supplement its Response to the Motion to Remand (including any prior supplementation by Indiantown).

5. Within seven (7) days of the date of Century's supplemental Response to the Motion to Remand, Indiantown will supplement its Reply in Support of the Motion to Remand.

SO ORDERED.

Signed: December 7, 2010

A handwritten signature in cursive script, reading "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

